



# WIC Farmers Market and Senior Farmers Market Nutrition Program Handbook

Effective February 1, 2020

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Women, Infants & Children (WIC) Program  
Farmers' Market Nutrition Program  
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## **A. About the Farmers' Market Nutrition Programs**

### **Supplemental Nutrition Program for Women, Infants and Children (WIC) FMNP**

WIC is a federally-funded health and nutrition program for women, infants, and children. WIC helps families by providing food assistance coupons to buy nutritious supplemental foods from WIC-authorized vendors. WIC also provides nutrition education to participants. To qualify for the program, participants must meet the federal income guidelines, be nutritionally at-risk, and be pregnant, new mothers, infants, or children under age five (5).

### **WIC Farmers' Market Nutrition Program (FMNP)**

Eligible WIC participants may also qualify for Alaska WIC Farmers' Market Nutrition Program (FMNP) benefits during the farmers' market season (June 1 – October 31) each year. Since farmers' markets and farmstands are not available in every region of Alaska, WIC FMNP coupons are distributed only to participants who live in communities with authorized farmer-vendors. Participants receive six (6) \$5 coupons for purchase of fresh, nutritious, Alaskan grown produce from Alaska WIC-authorized farmer-vendors.

### **Senior Farmers' Market Nutrition Program (SFMNP)**

The SFMNP serves eligible senior citizens sixty (60) years of age and older who are nutritionally at-risk, and who meet income and residency guidelines. Senior participants are provided with six (6) \$5 coupons that may be redeemed for fresh, nutritious, Alaskan grown fruit, vegetables, herbs and honey sold by authorized farmer-vendors during the June 1 – October 31 season.

## **B. Farmer-Vendor and Farmers' Market Eligibility**

Alaska FMNP and SFMNP coupons can only be accepted by authorized Farmer-Vendors at designated farmers' markets, farmstand and/or farm locations that have been approved by the State of Alaska WIC Program.

### **Who qualifies for the programs?**

- A farmer who grows at least one-third (33 percent) of the produce s/he offers for sale at a farmers' market, farmstand or farm.
- A farmer whose produce offered for sale is locally grown within Alaska's borders.
- A farmers' market that includes enough authorized farmers participating in the market, or, if a farm or farmstand, provides enough variety and quantity of produce to meet the demand of FMNP and SFMNP participants in the area served.
- A farmers' market or farmstand that is open for a minimum of three hours on at least one consistent day every week for at least eight weeks during the season.
- A farmers' market or farmstand that is permanently located in an area that serves enough eligible FMNP, and SFMNP participants to justify the need for a farmers' market or farmstand.

- A farmers' market or farmstand that is located in an area where the local WIC and/or Senior Agency are able to provide necessary services to administer the programs.
- A farmer who can meet the general program requirements beginning on page 6.

### **Who does not qualify?**

- A wholesale or retail farmer who grows less than 33 percent of the produce s/he sells.
- A farmer who sells only through Community Supported Agriculture (CSA) or harvest box.
- A farmer who is in violation of other Food and Nutrition Service (FNS) programs such as the Supplemental Nutrition Assistance Program (previously known as Food Stamps).
- A farmer who is currently disqualified, sanctioned, or under investigation by the WIC or SNAP Programs.

## **C. Farmer-Vendor Authorization Process**

Farmer-Vendor authorizations are for a three year period beginning June 1 through November 30 of each year. All interested farmers and farmers' markets must submit a new application for each three-year cycle. Applications must be submitted during the open application period from February 15 - May 15 each year. Applications submitted outside of the open application period will not be processed.

**Authorized farmers are required to submit an information update form by April 1<sup>st</sup> of each year with the exception of the year in which a farmer received authorization.**

An application form (Appendix A), Banking Information Form (Appendix C) and Farmer-Vendor Agreement (Appendix D) for authorization as a Farmer-Vendor under the Farmers' Market Nutrition Program are available on the Alaska WIC Program website at <http://wic.alaska.gov>, or you may request to receive the forms by mail.

### **How to Apply**

- 1) Complete and submit the appropriate application form, banking information form and Farmer-Vendor agreement by mail to the following address: Division of Public Assistance/WIC, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska 99811
- 2) If your farm, farmstand or farmers' market is authorized, the State Agency will finalize the agreement and return an original copy to you with your start-up package.
- 3) Applications are accepted from February 15 until the deadline of May 15 of the current year. Applications received after May 15<sup>th</sup> will not be processed.

## Authorization Process

Applications for authorization to accept the FMNP and SFMNP coupons are processed within 30 days of receipt by the WIC Program. Applications with missing information will not be processed until all forms and information is complete.

If your application is denied authorization by the WIC Program, you may not accept FMNP or SFMNP coupons. All applicants that are denied authorization will receive written notification of the denial and the right to an appeal.

If your application is approved by the WIC Program, a Farmer-Vendor Agreement will be sent to you, with the WIC Program Director's countersignature. The Farmer-Vendor Agreement will be valid for all remaining seasons during the three-year cycle. If you have applied during the second or third year of the cycle, the Farmer-Vendor Agreement will be valid for that/those season(s) only.

The WIC Program will mail you a **start-up package** that includes:

- A copy of the fully executed Farmer-Vendor Agreement.
- If a farm or farmstand; a single self-inking stamp with a uniquely assigned Farmer Number. This Farmer Number will be used to identify the farmer in program files and the banking system. All FMNP and SFMNP coupons must be stamped with your Farmer-Vendor stamp prior to presentment for payment.
- This Alaska WIC Program Handbook for the FMNP & SFMNP Programs.
- A WIC Farmers' Market Accepted Here poster that **must** be displayed prominently at your farm, farmstand and/or market. Posting the sign lets participants know that they can use their FMNP or SFMNP coupons at your farm, farmstand or market. Failure to comply may result in sanctions (see page 14).

**IMPORTANT: Do not accept any FMNP or SFMNP coupons until you have received your signed Farmer-Vendor Agreement and Farmer-Vendor stamp.**

## General Requirements

The authorized Farmer-Vendor will:

- Accept and redeem FMNP and SFMNP coupons only after you are authorized by the State of Alaska WIC Program.
- Accept vouchers and coupons within the dates of their validity and submit them for payment within the allowable time period established by the State of Alaska.
- Do not ask to see ID for program benefits.
- Stamp each transacted FMNP and SFMNP coupon with a Farmer-Vendor number prior to depositing at your bank.

- Assure that FMNP and SFMNP coupons are accepted only for eligible foods grown within Alaska's borders. See Appendix H for approved foods.
- Provide eligible fruits and vegetables at the current price charged to other customers.
- Accept training on FMNP, and SFMNP procedures and provide training to farm representatives with responsibilities for such procedures. First time authorized farmers are required to participate in one-on-one training with the State of Alaska WIC Program prior to participating in the programs.
- Be accountable for actions of all farm representatives, including volunteers, in coupon and handling and processing.
- Agree to be monitored overtly and covertly and provide access and cooperate with WIC Program representatives when being monitored for compliance with program procedures and requirements.
- Understand that the State of Alaska may deny payment and require reimbursement for any improperly redeemed coupons and agree to reimburse the Alaska WIC Program for any coupons transacted in violation of program requirements.
- Comply with the nondiscrimination provisions of USDA regulations:  
*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.*
- Offer FMNP and SFMNP shoppers and/or their proxies the same courtesies as other customers.
- Notify the State Agency within 15 business days if any farmer, farmstand or farmers' market ceases operation prior to the end of the authorization period.
- Handle FMNP and SFMNP coupons as you do cash. They should be stored in a secure, locked location. Lost or stolen coupons will not be replaced or reimbursed.
- Prominently display the WIC Farmers' Market Accepted Here poster at the point of sale so WIC and Senior participants can identify you as an approved Farmer-Vendor.

The authorized Farmer-Vendor **will not**:

- Collect sales tax on purchases paid for by FMNP and SFMNP benefits.
- Seek restitution from the State of Alaska and/or participants for coupons not paid by the State of Alaska.
- Claim reimbursement for an amount greater than the face value of the FMNP or SFMNP coupon.

- Issue cash change.
- Accept and exchange FMNP or SFMNP coupons for cash or other non-approved items or services.
- Charge more or levy a surcharge for participants who use FMNP or SFMNP coupons.
- Commit fraud or abuse of the FMNP or SFMNP programs.
- Participate in the FMNP or SFMNP programs if you are sanctioned or disqualified by the Alaska Department of Health and Social Services or debarred by the United States Department of Agriculture.
- Accept FMNP or SFMNP coupons that are canceled, previously accepted, marked VOID, or appear to be reproduced or tampered with.

## **D. Farmers' Market Authorization Process**

Farmers' market authorizations are for a three year period beginning June 1 through November 30 of each year. All interested farmers' markets must submit a new application for each three-year cycle. Applications must be submitted during the open application period from February 15 - May 15 each year. Applications submitted outside of the open application period will not be processed.

An application form (Appendix B) and Farmer-Vendor Agreement (Appendix D) for authorization as a farmers' market under the Farmers' Market Nutrition Programs is available on the Alaska WIC Program website at <http://wic.alaska.gov>.

### **How to Apply**

- 1) Complete and submit the appropriate application form and Farmer-Vendor agreement by mail to the following address: Division of Public Assistance/WIC, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska 99811
- 2) If your market is authorized, the State Agency will finalize the agreement and return an original copy to you with your start-up package.
- 3) Applications are accepted from February 15 until the deadline of May 15 of the current year. Applications received after May 15<sup>th</sup> will not be processed.

### **Authorization Process**

Applications for authorization to participate in the FMNP and SFMNP are processed within 30 days of receipt by the WIC Program. Applications with missing information will not be processed until all forms and information is complete. If your application is denied, you will receive written notification of the denial and the right to an appeal.

If your application is approved by the WIC Program, a Farmer-Vendor Agreement will be sent to you, with the WIC Program Director's countersignature. The Farmer-Vendor Agreement will be valid for all

remaining seasons during the three-year cycle. If you have applied during the second or third year of the cycle, the Farmer-Vendor Agreement will be valid for that/those season(s) only.

The WIC Program will mail you a **start-up package** that includes:

- A copy of the fully executed Farmer-Vendor Agreement.
- This Alaska WIC Program Handbook for the FMNP & SFMNP.
- A WIC Farmers' Market Accepted Here poster that **must** be displayed prominently at your market. Posting the sign lets participants know that they can use their FMNP or SFMNP coupons at the market. Failure to comply may result in sanctions (see page 14).

### **FMNP Farmers' Market Requirements**

The authorized Farmers' Market Manager will:

- Ensure that the Farmers' Market poster is prominently posted at all Market Manager information booths and Farmer-Vendor stalls,
- Provide the WIC, FMNP, and SFMNP information and training to farmers requesting authorization to participate in these programs,
- Provide the State Agency with the location and scheduled dates and hours of market operation,
- Provide the State Agency by October 31<sup>st</sup> of each year a list of market expenses, and
- Report to the State Agency any alleged or suspected misuse, abuse, fraud, or violation in connection with the programs policy and procedures.

### **E. Termination of Farmer-Vendor or Farmers' Market Agreement**

A Farmer-Vendor may terminate his/her participation in the FMNP and SFMNP by giving the Program at least 15 days written advance notice via mail, email or fax. You must remove any FMNP and SFMNP materials supplied by the program and return the stamp issued to you to the following address:

**Mail:** Division of Public Assistance/WIC  
Farmers' Market Nutrition Program  
PO Box 110612  
Juneau, Alaska 99811  
**Email:** [wic@alaska.gov](mailto:wic@alaska.gov)  
**Fax:** (907) 465-3416

Upon termination of the Vendor Agreement, all FMNP and SFMNP coupons must be deposited in the bank within 15 days.



## F. Approved Food List

The foods that are approved for purchase by FMNP and SFMNP participants are called eligible and approved foods. See Appendix H for a complete list of approved foods. We strongly recommend that you familiarize yourself with the Approved Food List, and keep a copy with every cash box for quick reference.

### Allowed:

- Fruits and vegetables that are not processed or prepared beyond their natural state except for usual harvesting and cleaning processes.
- WIC-approved fruits and vegetables without added sugars or oils.
- Cut herbs

### Not allowed:

- Potted plants, herbs, flowers
- Meats, seafood, eggs, or dairy products
- Baked goods
- Ornamental corn or gourds
- Nuts or seeds
- Dried fruits and vegetables, fruit leathers or fruit roll-ups

## G. Accepting Coupons

All FMNP/SFMNP coupons must be handled like cash; lost or stolen coupons will not be replaced or reimbursed. If you suspect abuse, please report it to the State Agency via email, mail or fax.

**Mail:** Division of Public Assistance/WIC  
Farmers' Market Nutrition Program  
PO Box 110612  
Juneau, Alaska 99811

**Email:** [wic@alaska.gov](mailto:wic@alaska.gov)  
**Fax:** (907) 465-3416

### DOs:

- Do accept FMNP and SFMNP coupons only within the valid market dates of June 1 – October 31 of the current year.
- Do offer to add produce to equal the amount of the coupon if a purchase is less than the value of the coupon(s).
- Do allow participants to combine multiple FMNP or SFMNP coupons in a single transaction.
- Do allow the participant to pay the difference using her/his own funds, if the purchase is more than the amount printed on the voucher.

### DO NOTs:

- **Do not accept coupons outside of the valid market dates.**
- **Do not give change for a coupon or voucher.**

- **Do not charge or collect sales tax on the value of the coupons presented. You may collect sales tax on the amount of the purchase that exceeds the value of the coupons.**

### Coupon Details:

#### Coupon Distribution:

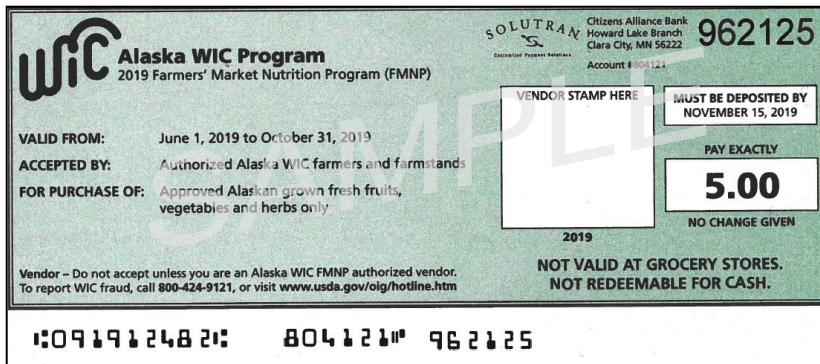
The State of Alaska WIC Program has partnered with several agencies across Alaska to accept applications and issue program benefits. FMNP coupons are issued to low-income women, infants and children in areas where there are authorized farmers. In 2019, seven State of Alaska grantees participated in the FMNP. SFMNP coupons are issued by senior distribution agencies such as senior housing facilities and senior centers. In 2019, twenty-three State of Alaska partner agencies participated in the SFMNP. For more information on distribution locations, please contact the State WIC Office at (907) 465-3100.

#### Coupon Value:

Each FMNP and SFMNP coupon is worth \$5. Eligible applicants will receive six coupons for a total value of \$30 to use between June 1<sup>st</sup> and October 31<sup>st</sup>. Multiple coupons may be used in a single transaction.

#### Coupon Examples:

Coupons change color each season to help identify valid and expired coupons. Here are examples of previous coupons.



**Note: In 2020, the SFMNP coupon reimbursement process has changed and will require design alterations**

### Farmer Coupon Reimbursement Process:

- 1) Coupons must not be altered and must be legible.
- 2) Each FMNP and SFMNP coupon must be stamped by the Farmer-Vendor number in the box marked "Vendor Stamp Here" prior to deposit into the farmers bank. Handwritten, illegible or missing stamps may cause the coupon to be rejected.
- 3) Deposit all FMNP and SFMNP coupons in your bank before **November 15** of the current year.

**Note: Fees applied by your bank will not be reimbursed under any circumstance by the State of Alaska.**

## Found Coupons and Checks

Please notify the State WIC Office immediately if FMNP and/or SFMNP are found.

## Void or Cancel Coupons and Checks

To void or cancel a coupon, simply write “VOID” across the coupon in bold lettering. All voided coupons should be reported to the State WIC Office within 3 days.

## Preventing and Correcting Errors

Coupons are “pre-edited” (screened for errors) by the program check processor. The coupons are reimbursed if there are no errors. An error may be “non-fatal” (correctable); in this case it will be returned to you for correction. If the error is “fatal,” the bank will reject the coupon and payment will be denied (see Table 2 for list of error types).

**Important Notes: Your bank may charge you a returned check handling fee for each incorrectly deposited coupon. Please make certain to check your coupons for errors before you deposit them into your account. We strongly recommend that you submit FMNP and SFMNP coupons for reimbursement as you receive them; do not wait until the end of the season to make a bulk deposit. Banking issues are difficult to resolve after the farmers’ market season has ended.**

## WIC Check Reconsideration

For Farmer-Vendors who believe a payment denial has been made incorrectly, or believe there is a justifiable reason why payment should be made, the Program may consider payment approval with valid justification. A farmer-vendor must submit an appeal request to the program within 30 days of rejection by the bank. A form and instructions for a WIC Check Appeal Request are included in Appendix F.

**Table 1: Common Banking Errors and Consequences**

Error	Result
Missing Farmer-Vendor stamp	<b>Non-fatal</b>  Bank will return the rejected coupon. Error <b>may be</b> corrected and the coupon may be deposited within valid dates.
Illegible Farmer-Vendor number	
Invalid Farmer-Vendor number	
Amount encoded by your bank of deposit disagrees with amount entered on face of coupon (must be corrected through your bank).	
<i>(See next page for more errors.)</i>	

Error	Result
Deposited after date specified (stale-dated)	<b>Fatal</b>  Bank will return the rejected coupon. Error <b>may not</b> be corrected, and the coupon cannot be re-deposited at vendor's bank.
Altered purchase price or sale date (if improperly corrected)	
Missing purchase price or date	

## H. WIC Program Responsibilities

The Alaska WIC Program will:

- Provide WIC Farmers' Market Accepted Here posters for the farmers and farmers' markets participating in the FMNP and SFMNP.
- Provide each eligible FMNP and SFMNP participant a benefit of coupons totaling \$30 (in \$5 increments) that may be redeemed only at authorized farmer-vendors between June 1 and October 31.
- Assure reimbursements (to authorized farmers) of valid FMNP and SFMNP coupons are completed before December 31st.
- Deny payment to a farmer for improperly redeemed coupons and/or demand repayment to the WIC Program.
- Provide program training and technical assistance to farmers' market managers, farmers, and farmstands.
- Provide monitoring of farmers' markets, farmers, and farmstands to assure compliance with 7 CFR 246 (WIC regulations), 7 CFR 248 (FMNP regulations) and 7 CFR 249 (SFMNP regulations).

## I. Program Monitoring

USDA regulations require State Agencies to monitor authorized vendors for compliance with the rules that are intended to ensure that federal funds allocated for FMNP and SFMNP are properly spent.

### Monitoring Visits

State and Local Agency staffs conduct regular on-site visits and monitoring of farmer-vendors and farmers' markets – both covertly and overtly. The goals are to:

- ensure compliance with the program requirements,
- provide technical assistance and support to farmer-vendors and market managers, and
- conduct investigations of complaints, alleged violations, frauds, or illegal activity.

Farmer-vendors who fail to comply with the FMNP and SFMNP requirements are subject to warning, sanctions (penalties), and/or disqualification depending on the extent, severity, and frequency of the violation.

## Sanctions for Program Violations

A farmer-vendor or market manager who commits fraud or abuse is subject to program sanctions, which may include repayment, fine, suspension, or disqualification from the program.

Violations are classified into four levels of noncompliance; Category I, Category II, Category III and Category IV. If a violation is documented, sanctions will be imposed.

**Table 2: SFMNP and FMNP Sanctions**

<b>Violation Type</b>	<b>Description</b>	<b>State Agency Action/Penalty</b>
Category I	<p>Failure to display a FMNP Poster.</p> <p>Accepting FMNP or SFMNP coupons for products other than eligible foods. (See Category IV for issues concerning drugs, weapons, alcohol, or cash.)</p> <p>Depositing/cashing coupons/vouchers without a valid farmer-vendor number stamped in the appropriate box. (First violation)</p>	<p>Violation will result in verbal or written warning, with corrective action requested.</p> <p>Additional training may be provided on-site or by teleconference.</p>
Category II	<p>Providing false information on the Farmer Application about the location and sales operations of the farmer.</p> <p>Failure to provide updated sales location information by the annual deadline.</p> <p>Accepting FMNP or SFMNP coupons before authorization is complete.</p> <p>Accepting FMNP or SFMNP coupons at an unauthorized farmers' market, or other unauthorized premises.</p> <p>Operating an authorized sales location on the self-service or honor system, i.e., not staffing the sales location.</p>	<p>Violation will result in a written notification of noncompliance from the State Agency.</p> <p>The farmer-vendor may be required to participate in special training to resolve the violation.</p>

<b>Violation Type</b>	<b>Description</b>	<b>State Agency Action/Penalty</b>
	<p>Attempting to collect or collecting sales tax on produce sold to FMNP and SFMNP participants (coupon portion only).</p> <p>Refusal to accept valid FMNP and/or SFMNP coupons for eligible products.</p> <p>Two or more Category I violations.</p>	
Category III	<p>Failure to sell any produce grown during the agreement year.</p> <p>Charging FMNP or SFMNP participants more than other customers.</p> <p>Seeking restitution from program participants for checks/vouchers not paid by the Dept.</p> <p>Discriminating or hostile actions against a FMNP or SFMNP participant.</p> <p>Providing money back to participants where the amount of the purchase is less than the coupon.</p> <p>Receiving reimbursement or cashing a FMNP or SFMNP coupon for a grower who is not authorized; or otherwise bartering for any coupons the non-authorized grower has accepted.</p> <p>Failing to allow, comply with, or cooperate in the Department's inspections and monitoring.</p> <p>Any noncompliance with the Program Requirements not specifically identified as a Category I, II or IV violation.</p> <p>Three or more Category I violations or two or more Category II violations.</p>	<p>Violation will result in termination of Farmer-Vendor agreement and disqualification from the FMNP and SFMNP for a full market season. Farmer-vendor will need to reapply for authorization after suspension.</p>

<b>Violation Type</b>	<b>Description</b>	<b>State Agency Action/Penalty</b>
Category IV	<p>Committing fraud or abuse in connection with the FMNP or SFMNP.</p> <p>Continuing to participate in FMNP and/or SFMNP during a period of suspension or disqualification.</p> <p>Providing drugs, weapons, alcohol, or cash to a customer for coupons or FVVs.</p> <p>Two or more category III violations.</p>	<p>Violation will result in termination of Farmer-Vendor agreement and disqualification from the program. Farmer-Vendor may be required to repay the Alaska WIC Program for improperly redeemed coupons. Disqualification is for two complete S/FMNP seasons.</p>

## **J. Problems or Complaints**

A farmer-vendor, farmers' market manager, FMNP or SFMNP participant may report a problem or register a complaint with the Program. To report an issue, call the WIC Program at (907) 465-3100 during regular State of Alaska business hours or submit a written complaint. The State of Alaska WIC Program will review, investigate and work to resolve the issue.

To file a written complaint, you may download a complaint form from the program website at <http://wic.alaska.gov>, or you may request a complaint form from the WIC Program by calling (907) 465-3100. A copy of the complaint form is included as Appendix G of this Handbook.

## **K. Discrimination Complaints**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter

to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

## L. Administrative Appeals

The WIC Program will provide written notice of adverse action to be taken during the Farmer-Vendor or Farmers' Market agreement period.

The State agency will provide Farmer-Vendors with not less than 15 days advance written notice by certified mail of adverse action to be taken during the course of the agreement period. Adverse action will be implemented after the 15 day advance notice period has elapsed. **No advance notice will be provided for a disqualification due to a conviction of trafficking or selling firearms or illegal substances in exchange for FMNP or SFMNP coupons or FVVs.**

A Farmer Vendor may request an administrative appeal for the following:

- Denial of a farm, farmers' market, or a farmstand application to become an authorized Farmer-Vendor.
- Termination of the Farmer's Agreement for cause,
- Imposition of a penalty, and/or
- Disqualification (except in case of a reciprocal WIC disqualification as a result of other USDA Program disqualification).

If the Farmer Vendor chooses to appeal the action, the Farmer-Vendor must file a written Request for Administrative review within 30 days after notification of the action to:

Department of Health and Social Services  
Director, Division of Public Assistance  
P.O. Box 110640  
Juneau, Alaska 99811

The request must include a statement setting forth the State agency action which the Farmer-Vendor is contending and the reasons for appealing the action. Evidence supporting the vendor's statement should be included. Requests for Appeal will be reviewed, and hearings conducted, in accordance with the Administrative Review Process in Appendix AM. The Farmer Vendor may be able to pursue judicial review of the agency's decision.

## M. Definitions

**AK DHSS** stands for Alaska Department of Health and Social Services. This is also sometimes referred to as the State Agency throughout this document.

**Compliance Buy** means a covert, on-site investigation in which a representative of FMNP and/or SFMNP poses as a participant, parent or caretaker of an infant or child participant, or proxy, transacts one or more program coupon, and does not reveal during the visit that he or she is a FMNP and/or SFMNP



representative.

**Coupon** means a coupon, food instrument (FI), warrant, voucher, or other negotiable financial instrument by which benefits under the FMNP and SFMNP are transferred to participants.

**Community Supported Agriculture (CSA)** consists of a community of individuals who pledge support to a farm operation so that the farmland becomes, either legally or spiritually, the community's farm, with the growers and consumers providing mutual support and sharing the risks and benefits of food production. CSA's are not authorized for the FMNP or SFMNP in the State of Alaska.

**Senior Distribution Agency** means any entity or agency which issues SFMNP coupons, and provides nutrition education and/or information on operational aspects of the Programs to eligible participants.

**Eligible Foods for purchase with Senior and Farmers Market Nutrition Program coupons (SFMNP/FMNP)** means fresh, nutritious, unprepared, locally grown, approved fruits, vegetables and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Ineligible foods include dried fruits and vegetables, maple syrup, cider, juices, nuts, seeds, eggs, meat, cheese and seafood. Honey is approved only for purchase with SFMNP coupons.

**Fraud and Abuse** means the intentional conduct of a State, local agency or clinic employee which violates WIC Program, FMNP and/or SFMNP regulations, policies, or procedures, including, but not limited to, misappropriating or altering coupons, entering false or misleading information in case records, or creating case records for fictitious participants.

**Farmer** means an individual authorized to sell eligible fruits, vegetables and herbs to participants at a farmers' market or farmstand. Individuals who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be authorized to participate in WIC, FMNP and SFMNP. For purposes of this agreement, this includes the term "Farmer" as defined in WIC Farmers' Market Nutrition Program (FMNP), 7 C.F.R. § 248.2, and Seniors FMNP, 7 C.F.R. § 249.2, and in Special Supplemental Nutrition Program for Women, Infants and Children (WIC), 7 C.F.R. § 246.2.

**Farmers' Market** means an association of local farmers who assemble at a defined location and scheduled time for the purpose of selling their produce directly to consumers.

**Farmstand** means a location at which a single, individual farmer sells his/her produce directly to the consumer. This is in contrast to a group or association of farmers selling their produce at a farmers' market.

**FMNP** stands for Farmers' Market Nutrition Program.

**Local Agency** means any entity or agency which issues FMNP coupons, and provides nutrition education and/or information on operational aspects of the Programs to eligible participants.

**Locally Grown** means produce grown only within Alaska borders. Under no circumstances can produce grown outside of Alaska be considered eligible for the FMNP and SFMNP.

**Participants** means pregnant women, breastfeeding women, postpartum women, infants and children and low income seniors age 60 or older who are receiving supplemental foods and/or coupons from the FMNP and/or SFMNP.

**Participant Violation** means any intentional action of a participant, parent or caretaker of an infant or child participant, or proxy that violates Federal or State statutes, regulations, policies, or procedures governing the WIC Program, FMNP, and SFMNP. Participant violations include intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits; exchanging coupons or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods in excess of those listed on the participant's FI; threatening to harm or physically harming clinic, farmer or vendor staff; and dual participation.

**Proxy** means any person designated by a participant, or by a parent or caretaker of an infant or child participant, to obtain and transact coupons or to obtain supplemental foods on behalf of a participant. The proxy must be designated consistent with the State agency's procedures established pursuant to 7 CFR § 246.12 (r) (1). Parents or caretakers applying on behalf of child and infant participants are not proxies. For the SFMNP, "proxy" means an individual authorized by an eligible senior to act on the senior's behalf according to 7 CFR §249.2.

**Senior Participant** means eligible low-income seniors age 60 and over.

**SFMNP** stands for Senior Farmers' Market Nutrition Program.

**USDA** stands for United States Department of Agriculture.

**WIC** stands for Special Supplemental Nutrition Program for Women, Infants and Children.



## WIC Farmers Market and Senior Farmers Market Nutrition Program Handbook Appendices

Please visit <http://wic.alaska.gov>  
for appendices or call (907) 465-3100 to request an  
emailed, faxed or mailed copy.

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